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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
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11 UNITED STATES OF AMERICA,
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13 Plaintiff,
14 v.
15 MARVIN TRUSS,
16 Defendant.

Case No. 3:19-cr-00054-LRH-WGC

**ORDER APPROVING
STIPULATION TO CONTINUE
SENTENCING HEARING
(THIRD REQUEST)**

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18 IT IS HEREBY STIPULATED AND AGREED by and through RENE L.
19 VALLADARES, Federal Public Defender and KATE BERRY, Assistant Federal Public
20 Defender, counsel for MARVIN TRUSS and NICHOLAS A. TRUTANICH, United States
21 Attorney, and MEGAN RACHOW, Assistant United States Attorney, counsel for the UNITED
22 STATES OF AMERICA, that the Sentencing hearing set for August 3, 2020, at 11:00 AM, be
23 vacated and continued to December 14, 2020, at 1:30 PM.
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The continuance is necessary for the following reasons:

1. This request is at the initiation of Ms. Berry and without the opposition of the Government.
2. In light of the COVID-19 epidemic, it is prudent for the safety of the parties, the Court and the United States Marshals to eliminate unnecessary prisoner transfers.
3. Mr. Truss is incarcerated at the Washoe County Detention Center. The Bureau of Prisons has temporarily halted institution to institution prisoner transfers. Thus, for the time being, Mr. Truss will remain at the Washoe County jail regardless of the date of sentencing.
4. In order to minimize the risk to parties, the Court, Mr. Truss and the United States Marshals, it appears to be the safest course of action to defer sentencing.
5. The additional time requested by this Stipulation is reasonable pursuant to

Federal Rule of Criminal Procedure 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed in this rule.”

6. This is the third request for continuance of the sentencing hearing.

DATED this 16th day of July, 2020.

RENE L. VALLADARES
Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

By /s/ Kate Berry
KATE BERRY
Assistant Federal Public Defender
Counsel for MARVIN TRUSS

By /s Megan Rachow
MEGAN RACHOW
Assistant United States Attorney
Counsel for the Government

ORDER

Based on the Stipulation of counsel, and good cause appearing,

IT IS THEREFORE ORDERED that the Sentencing Hearing currently set for August 3, 2020, at 11:00 AM, be vacated and continued to **December 14, 2020, at 1:30 PM.**

DATED this 20th day of June, 2020.

A handwritten signature in blue ink, appearing to read "J. H. H.", is positioned above a horizontal line.

UNITED STATES DISTRICT JUDGE